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U.S. DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
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UNITED STATES DISTRICT COURT

WESTERN DISTRICT OF LOUISIANA

LAFAYETTE DIVISION

ROBERT H. SHEMWEILL, CLERK

DEPUTY

ERIC PETRY

CIVIL ACTION NO. 05-0957

SECTION P

VS.

WARDEN, LAF. CORR. CENTER

JUDGE MELANÇON

MAGISTRATE JUDGE HILL

J U D G M E N T

For the reasons stated in the Report and Recommendation of the Magistrate Judge previously filed herein, and after an independent review of the record, determining that the findings are correct under the applicable law, and noting the absence of objections to the Findings and Recommendation in the record;

IT IS ORDERED that the instant second and successive petition for writ of *habeas corpus* is hereby **TRANSFERRED** to the United States Court of Appeals for the Fifth Circuit in accordance with 28 U.S.C. §2244(b)(3) for further proceedings by that Court.

THUS DONE AND SIGNED, in chambers, in Lafayette, Louisiana, on this 3rd day of August, 2005.


TUCKER L. MELANÇON
UNITED STATES DISTRICT JUDGE

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